



Order Filed on October 23, 2020  
by Clerk  
U.S. Bankruptcy Court  
District of New Jersey

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY**

**Marie-Ann Greenberg MAG-1284  
Chapter 13 Standing Trustee  
30 TWO BRIDGES ROAD  
SUITE 330  
FAIRFIELD, NJ 07004-1550  
973-227-2840**

IN RE:  
FRANCHOT PERSAUD

**Case No.: 18-31382 JKS**

**Hearing Date: 10/22/2020**

**Judge: JOHN K. SHERWOOD**

**Debtor is Entitled To Discharge**

**ORDER MODIFYING CHAPTER 13 PLAN POST CONFIRMATION**

The relief set forth on the following pages, numbered 2 through 2 is hereby **ORDERED**.

**DATED: October 23, 2020**

A handwritten signature in black ink, appearing to read "J K Sherwood", written over a horizontal line.

Honorable John K. Sherwood  
United States Bankruptcy Court

Case No.: 18-31382 JKS

Caption of Order: ORDER MODIFYING CHAPTER 13 PLAN POST CONFIRMATION

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The Plan of the Debtor having been proposed to creditors, and hearing having been held on the Confirmation of such Plan, and it appearing that the applicable provisions of the Bankruptcy Code have been complied with; and for good cause shown, it is

- ORDERED, that the plan of the above named Debtor dated 8/24/2020, or as amended at the confirmation hearing is hereby confirmed. The Standing Trustee shall make payments in accordance with 11 U.S.C. § 1326 with funds received from the Debtor; and it is further
- ORDERED, that to the extent that the Debtor's plan contains motions to avoid judicial liens under 11 U.S.C. Section 522(f) and/or to avoid liens and reclassify claims in whole or in part, such motions are hereby granted, except as specified herein:
- ORDERED, that commencing 11/1/2018, the Debtor shall pay the Standing Trustee  
the sum of \$639.00 for a period of 23 month(s), and then  
the sum of \$1,250.00 for a period of 37 month(s), which payments shall include commission and expenses of the Standing Trustee in accordance with 28 U.S.C. § 586. The unsecured creditors shall receive on a pro rata basis, the balance remaining from the payments set forth in this paragraph, after payment of all administrative, priority & secured claims (i.e., Pot Plan); and it is further
- ORDERED, that Debtor must file the appropriate motion and schedules concerning a settled personal injury action by 11/12/20 or the case will be dismissed upon certification of the Trustee with 14 days notice to debtor(s) and debtor's attorney; and it is further
- ORDERED, that Debtor must keep the Trustee updated with the status of personal injury claim or the case will be dismissed upon certification of the Trustee with 14 days notice to debtor(s) and debtor's attorney and any non-exempt proceeds of said claim shall be contributed to the plan for the benefit of the creditors. A motion and order to approve any and all settlements and disbursements is required to be made before the US Bankruptcy Court prior to special counsel making any disbursements to any party; and it is further
- ORDERED, that should the Debtor fail to make plan payments for a period of more than 30 days, the Standing Trustee may file with the Court and serve upon the Debtor and Debtor's Counsel, a Certification of Non-receipt of Payment and request that the Debtors case be dismissed. The Debtor shall have fourteen (14) days from the date of the filing of the Certification to file with the Court and serve upon the Trustee a written objection to such Certification; and it is further
- ORDERED, that upon completion of the plan, affected secured creditors shall take all steps necessary to remove of record any lien or portion of any discharged; and it is further
- ORDERED, that upon expiration of the Deadline to File a Proof of Claim, the Chapter 13 Standing Trustee may submit an Amended Order Confirming Plan upon notice to the Debtor, Debtor's attorney and any other party filing a Notice of Appearance.

In re:  
Franchot Persaud  
Debtor(s)

Case No. 18-31382-JKS  
Chapter 13

## CERTIFICATE OF NOTICE

District/off: 0312-2  
Date Rcvd: Oct 23, 2020

User: admin  
Form ID: pdf903

Page 1 of 2  
Total Noticed: 2

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Oct 25, 2020:

Recip ID	Recipient Name and Address
db	+ Franchot Persaud, 86 Howard St, Irvington, NJ 07111-3417
aty	+ Scott P. Kessler, Tobin, Kessler, Greenstein, et. al., 136 Central Avenue, Clark, NJ 07066-1142

TOTAL: 2

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

## BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, \*duplicate of an address listed above, \*P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

## NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Oct 25, 2020

Signature: /s/Joseph Speetjens

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## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on October 23, 2020 at the address(es) listed below:

Name	Email Address
Clifford A. Katz	on behalf of Creditor Progressive Credit Union ckatz@platzerlaw.com
David Jerome Witherspoon	on behalf of Debtor Franchot Persaud daveslaw321@gmail.com prissycatina@yahoo.com
Denise E. Carlon	on behalf of Creditor New Jersey Housing And Mortgage Finance Agency dcarlon@kmlawgroup.com bkgroup@kmlawgroup.com
Kevin Gordon McDonald	on behalf of Creditor New Jersey Housing And Mortgage Finance Agency kmcdonald@kmlawgroup.com bkgroup@kmlawgroup.com
Marie-Ann Greenberg	magecf@magtrustee.com

District/off: 0312-2

User: admin

Page 2 of 2

Date Rcvd: Oct 23, 2020

Form ID: pdf903

Total Noticed: 2

Marie-Ann Greenberg

on behalf of Trustee Marie-Ann Greenberg magecf@magtrustee.com

U.S. Trustee

USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 7